

MISSOULA  
COUNTY



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September 11, 2014

U.S. Environmental Protection Agency  
Amelia Piggott, Enforcement Attorney (8ENF-RC)  
1595 Wynkoop Street  
Denver, CO 80202

Re: 8ENF-RC Response of Missoula County to Special Notice Letter

Dear Ms. Piggott,

I am writing on behalf of Missoula County, Montana, in response to the EPA's Special Notice Letter dated September 2, 2014. Missoula County appreciates the opportunity to be involved in negotiations for the cleanup of the former Smurfit-Stone mill site (the Site). Missoula County has long been an advocate for environmentally responsible practices at the Site.

Missoula County has never been an operator of the mill or any facilities at the Site, and was not responsible for the disposal of any wastes on the Site. Missoula County has been named as a Potentially Responsible Party because it temporarily held ownership of a small portion of the Site in order to secure environmental improvement bonds in 1971 and 1978. These bonds were used to install pollution control equipment, including air pollution scrubbers on the boilers, and part of the wastewater treatment system at the former mill. Solely as security for the environmental improvement bonds, the County held title to about 3.2 acres of the 3,150 acre site property – only approximately 1/10 of 1% of the property at issue, and only until the bonds were repaid. The citizens of Missoula County should certainly not be forced to pay for investigation, cleanup, or remediation efforts, where the County's only connection to a very small portion of the property has been through enabling the purchase of equipment that helped reduce environmental waste at the Site.

Missoula County would like to participate in future negotiations regarding the Site. Although Missoula County should not be held financially responsible, we look forward to exploring ways in which the County may assist with implementation of institutional controls or other measures to ensure effective investigation, cleanup, and restoration of the Site.

Sincerely,

D. James McCubbin  
Deputy County Attorney